## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA CHARLOTTESVILLE DIVISION

DEC 1 3 2016

MARTESE JOHNSON,	) DEPUTY CLERK
	) Civil Action No. 3:15-CV-00055
Plaintiff,	)
V.	) <u>ORDER</u>
	)
DEPARTMENT OF ALCOHOLIC	) Hon. Glen E. Conrad
BEVERAGE CONTROL, et al.,	) Chief United States District Judge
	)
Defendants.	)

For the reasons stated in the accompanying memorandum opinion, it is now

## **ORDERED**

## as follows:

- 1. The defendants' motion to dismiss is **GRANTED IN PART AND DENIED IN PART**;
- 2. Counts II, IV, VI, and VII are hereby **DISMISSED** as to Agent Cielakie. The Clerk is directed to strike this defendant from the active docket;
- 3. Count III is hereby **DISMISSED** as to the Department of Alcoholic Beverage Control.

  The Clerk is also directed to strike this defendant from the active docket.
- 4. Counts I and V are **DISMISSED**.

The Clerk is directed to send copies of the order and the accompanying memorandum opinion to all counsel of record.

ENTER: This 12th day of December, 2016.

Chief United States District Judge